

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

WILLIAM RAMESES,

Plaintiff,

v.

08-CV-413

B. FISCHER, Commissioner, NYS DOCS;
J. TAYLOR, Superintendent, Gouverneur Correctional
Facility; R. PIRIE, Deputy Superintendent of Programs,
Gouverneur Correctional Facility; J. NOCERA,
Investigator/New York State Inspector General,
NYS DOCS,

Defendants.

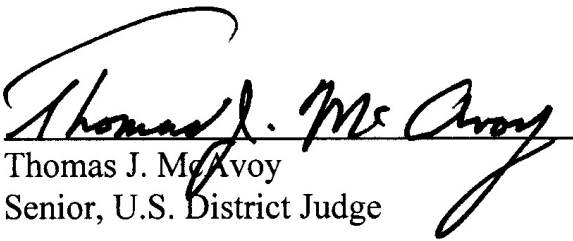
THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

By Motion dated April 12, 2008, Plaintiff sought a preliminary injunction requiring Defendants to remove him from the Special Housing Unit. Subsequently, on May 14, 2008, Plaintiff was removed from the Special Housing Unit. “[A] case is moot when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” Powell v. McCormack, 395 U.S. 486, 496 (1969). Because Plaintiff has been released from the Special Housing Unit, there is no longer a “live” controversy on this issue for this Court to adjudicate. Plaintiff’s motion for preliminary injunction is, therefore, DENIED as moot.

IT IS SO ORDERED.

Dated: September 24, 2008



Thomas J. McAvoy
Senior, U.S. District Judge